

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

KEN K. CRAIN)	
)	
COMPLAINANT)	CASE NO.
)	2016-00288
V.)	
)	
EDMONSON COUNTY WATER DISTRICT)	
)	
DEFENDANT)	

ORDER

On July 25, 2016, Ken K. Crain (“Mr. Crain”) tendered a formal complaint (“Complaint”) with the Commission against Edmonson County Water District (“Edmonson County”) in which he alleges that Edmonson County does not provide its customers with sufficient time to pay their bills before incurring a late fee. Mr. Crain states that he pays his monthly bill using his bank’s online bill payment system, which may take up to four business days to process and send the payment to the payee, and that Edmonson County’s monthly bills are due 14 days after they are mailed to customers. Mr. Crain alleges that he has incurred late fees on his Edmonson County bill due to the time it takes to receive the bill in the mail, the time required to process and remit payment from his bank’s online bill pay, and the time period allotted for payment. To remedy this situation, Mr. Crain requests that Edmonson County be required to electronically send water bills, establish an e-mail payment option, extend the bill due date from 14 to 21 days, reimburse his late fees, and be liable for any

expense incurred by a customer whose online payment information is hacked from Edmonson County's computer system.

Pursuant to 807 KAR 5:001, Section 20(4)(a), upon receipt of a formal complaint the Commission must determine whether the complaint states a *prima facie* case. To establish a *prima facie* case under 807 KAR 5:001, Section 20(1)(c), the complaint must state:

Fully, clearly, and with reasonable certainty, the act or omission, of which complaint is made, with a reference, if practicable, to the law, order, or administrative regulation, of which a failure to comply is alleged, and other matters, or facts, if any, as necessary to acquaint the commission fully with the details of the alleged failure.

Based on a review of the Complaint, the Commission is unable to determine at this time whether the Complaint establishes a *prima facie* case, but the allegations support our further investigation into the merits of the Complaint. The Commission finds that Mr. Crain should file, within 20 days of the date of this Order, the following to support his claim against Edmonson County:

1. Copies of water bills issued to Mr. Crain by Edmonson County for each month of 2016 to date.
2. Copies of payment records for water bills from Edmonson County for each month of 2016 to date.
3. Details about his online bill-payment process, including: (1) how Mr. Crain initiates payment transactions for the Edmonson County bills; (2) whether payment is made via a check created by Mr. Crain's bank and mailed to Edmonson County, or by electronic transfer of funds from Mr. Crain's account to Edmonson County's bank

account; and (3) how Mr. Crain is alerted when payment is sent by his bank to the payee.

4. The total amount of late fees incurred and the billing dates for each bill for which a late fee was incurred for 2016 to date.

When filing a paper containing personal information, Mr. Crain should, in accordance with 807 KAR 5:001, Section 4(10), encrypt or redact the paper so that personal information, including an account number or Social Security number, cannot be read.

IT IS THEREFORE ORDERED that:

1. Within 20 days of the date of this Order, Mr. Crain shall file:
 - a. Copies of water bills issued by Edmonson County to Mr. Crain for each month of 2016 to date.
 - b. Copies of his payment records for water bills from Edmonson County for each month of 2016 to date.
 - c. Details about the online bill-payment process, including: (1) how Mr. Crain initiates online payment transactions for the Edmonson County bills; (2) whether payment is made via a check created by Mr. Crain's bank and mailed to Edmonson County, or by electronic transfer of funds from Mr. Crain's account to Edmonson County's bank account; and (3) how Mr. Crain is alerted when payment is sent by his bank to the payee.
 - d. The total amount of late fees incurred and the billing dates for each bill for which a late fee was incurred from 2016 to date.

By the Commission

ENTERED
AUG 22 2016
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:



Executive Director

Case No. 2016-00288

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